Attorney's Docket No.: <u>005557.P006</u>



**PATENT** 

## DECLARATION AND POWER OF

As a below named inventor, I hereby declare that:

for which a patent is soug CAMERA POSITIONING	ht on the invention entit	below) of the subject matter which the the subject matter which will be subject matter which the subject matter which the subject matter which the subject matter which the subject matter which will be subject matter which the subject matter which will be subject matter which the subject matter which will be subject matt		
the specification of which				
X was filed		n Number <u>10/052,677</u> blication Number		as - 
	and was amonast on (	(if applicable	le)	
I hereby state that I have specification, including the	reviewed and understa e claim(s), as amended	nd the contents of the above-iden by any amendment referred to al	itified bove.	
•				
I acknowledge the duty to defined in Title 37, Code	disclose all information of Federal Regulations,	n known to me to be material to pa Section 1.56.	atentability	as
defined in Title 37, Code of the following the following the foreign application (s) for pany foreign application for	of Federal Regulations, ority benefits under Title patent or inventor's cert r patent or inventor's ce	n known to me to be material to pa Section 1.56. e 35, United States Code, Section ificate listed below and have also entificate having a filing date before	119(a)-(d identified	), of ar below
defined in Title 37, Code of the least of least of the le	of Federal Regulations, ority benefits under Title patent or inventor's cert r patent or inventor's ce rity is claimed:	Section 1.56.  35, United States Code, Section ificate listed below and have also	119(a)-(d identified	), of ar below ie
defined in Title 37, Code of the least of least of the le	of Federal Regulations, ority benefits under Title patent or inventor's cert r patent or inventor's ce rity is claimed:	Section 1.56.  35, United States Code, Section ificate listed below and have also	119(a)-(d identified e that of th Priorit	), of ar below ie
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defined in Title 37, Code of the learn the lea	of Federal Regulations, ority benefits under Title patent or inventor's cert repatent or inventor's cert ity is claimed:  (S)  Country	Section 1.56.  a 35, United States Code, Section ificate listed below and have also extificate having a filing date before  (Foreign Filing Date - MM/DD/YYYY)  (Foreign Filing Date -	119(a)-(d identified e that of th Priorit Claim Yes	), of ar below ie sy led No
I hereby claim foreign prior foreign application(s) for pany foreign application for application on which prior Prior Foreign Application Number  Number	of Federal Regulations, ority benefits under Title patent or inventor's cert repatent or inventor's certify is claimed:  Country  Country  Country  cunder Title 35, United	Section 1.56.  e 35, United States Code, Section ificate listed below and have also entificate having a filing date before [Foreign Filing Date - MM/DD/YYYY]  (Foreign Filing Date - MM/DD/YYYY)  (Foreign Filing Date - MM/DD/YYYY)	119(a)-(d identified e that of th  Priorit Claim  Yes  Yes	y ed No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number (Filing Date – MM/DD/YYYY) Status -- patented,

Application Number	(Filing Date - MM/DD/YY)		tented, ending, abandoned
Application Number	(Filing Date – MM/DD/YY		tented, ending, abandoned
I hereby appoint the persons part of this document) as my substitution and revocation, t and Trademark Office conne	respective patent attorneys o prosecute this application	and patent agents,	, with full power of
ZAFMAN LLP, 12400 Wilsh telephone calls to	Name of Attorney or Agent ire Boulevard 7th Floor, Lo	:)	SOKOLOFF, TAYLOR rnia 90025 and direct
hereby declare that all sta statements made on inforn statements were made with are punishable by fine or in States Code and that such application or any patent is	nation and belief are believen the knowledge that willfungrisonment, or both, und willful false statements m	ved to be true; and al false statements der Section 1001 o	d further that these s and the like so made f Title 18 of the United
Full Name of Sole/First Inver	ntor_Andrew J. Zosel		
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Inventor's Signature _	,	Date	•
Residence	(City, State)	Citizenship	(Country)

## APPENDIX A

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## **APPENDIX B**

## Title 37, Code of Federal Regulations, Section 1.56 <u>Duty to Disclose Information Material to Patentability</u>

- (a) A patent by its very nature is affected with a public interest. The public interest is best served. and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.